

## BOARD OF FORESTRY AND FIRE PROTECTION

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### **BOARD OF FORESTRY AND FIRE PROTECTION** **MEETING ANNOUNCEMENT AND AGENDA**

Announcement Date: August 31, 2001

#### **INTERIM COMMITTEE MEETING**

**Date:** September 11, 2001 (Tuesday)

**Location:** Resources Building  
Auditorium

1416 9<sup>th</sup> Street  
Sacramento, California

**Time:** 8:00 a.m. – 10:00 a.m.

#### **RESOURCE PROTECTION COMMITTEE MEETING**

**Date:** September 11, 2001 (Tuesday)

**Location:** Resources Building  
Room 1506-12

1416 9<sup>th</sup> Street  
Sacramento, California

**Time:** 9:00 a.m. – 11:00 a.m.

#### ***Ad Hoc* WATERSHED COMMITTEE MEETING**

**Date:** September 11, 2001 (Tuesday)

**Location:** Resources Building  
Auditorium

1416 9<sup>th</sup> Street  
Sacramento, California

**Time:** 10:00 a.m. - noon

#### **FULL BOARD**

**Date:** September 11-12, 2001  
(Tuesday-Wednesday)

**Location:** Resources Building  
Auditorium

1416 9<sup>th</sup> Street  
Sacramento, California

**Time:** September 11 - 1:00 p.m.  
September 12 - 8:00 a.m.

## FULL BOARD AGENDA

**September 11, 2001 (Tuesday)**

### **1:00 p.m.**

1. Call to Order
2. Approval of Minutes of the August 2001 Meeting
3. Report of the Chairman
4. **Hearing:** To Consider Amendment of Sections 1038 and 1104.1, Title 14 of the California Code of Regulations, addressing the removal of large old trees under the Exemption and Conversion Exemption process. This proposed language would require an additional level of evaluation and disclosure by the Registered Professional Forester who prepares the applicable document proposing the harvesting of large old trees.

**Note:** The hearing will be on rule language in a 15-Day Notice circulated on August 20, 2001. Public comment is limited to only those changes reflected in the 15-Day Notice. The noticed language is available from the Board's office and is also available on the Board's web page: [http://www.fire.ca.gov/bof/board/board\\_proposed\\_rule\\_packages.html](http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html)

### **1:30 p.m.**

5. **Hearing:** To Consider the Addition of Section 1059, Title 14 of the California Code of Regulations, addressing Infractions of Forest Practice Rules. This Rule language would identify those sections of the Forest Practice Rules, which when violated, would constitute an Infraction as defined in PRC 4601.4(a).

**Note:** The hearing will be on rule language in a 15-Day Notice circulated on August 20, 2001. Public comment is limited to only those changes reflected in the 15-Day Notice. The noticed language is available from the Board's office and is also available on the Board's web page: [http://www.fire.ca.gov/bof/board/board\\_proposed\\_rule\\_packages.html](http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html)

### **2:30 p.m.**

6. **Hearing:** To Consider Amendments to Regulations Affecting Threatened and Impaired Watersheds. The Proposed Amendments change the Expiration Dates of Regulations Adopted by the Board in September 2000 from December 31, 2001 to December 31, 2002, as well as addressing Channels Zones, Turbidity Increases in Class I-IV waters, Operations within Class III Watercourses, Water Quality Control Plans and Waters within the Sacramento and San Joaquin River Basins. The Affected Regulations are in 14 CCR, Sections 895.1, 898(a), 898.2(l), 914.8 [934.8, 954.8](g), 916 [936, 956](e), 916.2 [936.2, 956.2](d), 916.9 [936.9, 956.9](y), 916.11 [936.11, 956.11](b), 916.2 [936.12, 956.12](f), 923.3 [943.3, 963.3](h), and 923.9 [943.9, 963.9](g).

**Note:** The hearing will be on rule language in a 45-Day Notice circulated on July 13, 2001. The noticed language is available from the Board's office and is also available on the Board's web page: [http://www.fire.ca.gov/bof/board/board\\_proposed\\_rule\\_packages.html](http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html)

7. **Executive Session: (Closed to the Public)** Discussion of Matters Related to Foresters Licensing such as Certifications; Voluntary Relinquishments; and/or Revocations of RPF Licenses/CRM Certifications Under Section 11126 (c)(1), (c)(2), (c)(3) of the Government Code; Employee Evaluation Under 11126 (a)(1); also Discussion of Pending and Potential Litigation Under Section 11126 (e) of the Government Code. Cases to be discussed are: **Humboldt Watershed Council v. State Board of Forestry**, Alameda County Superior Court, Case No. 803883-8; **Scott R.J. Feller v. Board of Forestry**, Sacramento County Superior Court, Case No. 99CS02257; **Robert Raffaely and Lewis Ben Maplesden v. Board of Forestry et al.**, Siskiyou County Superior Court, Case No. SCCVPT 99 617, **Campaign to Restore Jackson State Redwood Forest and Dharma Cloud Charitable Foundation Trust v. California Department of Forestry and Fire Protection, California Board of Forestry and Does I through X**, Mendocino County Superior Court, Case No. SCUKEVG 0083611, and **California Oak Foundation, et al. v. Board of Forestry, et al.**, San Francisco County Superior Court, Case No. 314859. (The Executive Session may be reconvened if determined necessary.)

**September 12, 2001** (Wednesday)

**8:00 a.m.**

8. Reconvene Open Session
9. Announcement of Actions Taken in Executive Session
10. Report of the Director
11. Report of the Oak Mortality Task Force
12. Report of Federal Agencies Including USDA Forest Service, National Marine Fisheries Service, US Fish & Wildlife Service and US EPA
13. **Public Forum:** Members of the public may address the Board on any topic within its jurisdiction not otherwise on the agenda. Please be prepared to summarize comments to five minutes in length.

**9:00 a.m.**

14. **Hearing:** To Consider Amendments to Regulations Affecting Logging Roads, Landings, Watercourse Crossings and Effectiveness and Implementation Monitoring. These Regulation Sections have been excerpted from the Interim Threatened and Impaired Watershed Package and are proposed for Permanent Adoption. The Affected Regulations are in 14 CCR, Sections 895.1, 914.7 [934.7, 954.7], 914.8 [934.8, 954.8], 916.9 [936.9, 956.9], 916.11 [936.11, 956.11], 923 [946, 963], 923.1[943.1, 963.1], 923.2 [943.2, 963.2], 923.3 [943.3, 963.3], 923.4 [943.4, 963.4] and 923.8 [943.8, 963.8].

**Note:** The hearing will be on rule language in a 45-Day Notice circulated on July 27, 2001. The noticed language is available from the Board's office and is also available on the Board's web page: [http://www.fire.ca.gov/bof/board/board\\_proposed\\_rule\\_packages.html](http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html)

15. Report of Board's Advisory Committees

- Forest Pest Council
- Range Management Advisory Committee
- Monitoring Study Group
- Professional Foresters Examining Committee

**Possible Action Items:** Issuance of RPF Licenses/CRM Certifications, Withdrawals, Reinstatements, Voluntary Relinquishments, Suspensions, Revocations, or other Actions.

**11:00 a.m.**

16. **Hearing:** To Consider the Addition of Regulations which Govern Procedures for Requests for Hearings to the Board of Forestry and Fire Protection to Appeal the Issuance of an Administrative Penalty by the Director of the Department of Forestry and Fire Protection. Proposed Regulatory Additions include 14 CCR, Sections 1057 through 1057.10.

**Note:** The hearing will be on rule language in a 45-Day Notice circulated on July 27, 2001. The noticed language is available from the Board's office and is also available on the Board's web page: [http://www.fire.ca.gov/bof/board/board\\_proposed\\_rule\\_packages.html](http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html)

17. Report of Interim, Resource Protection, and *Ad Hoc* Watershed Committees

**1:00 p.m.**

18. **Hearing:** To Consider Amendments to the Regulation Affecting Less Than 3-Acre Conversion Exemptions. (14 CCR §1104.1(a)) The Proposed Amendments will Augment the role of the Registered Professional Forester, Increase the Stringency of Operational Restrictions and require Improved Documentation be submitted to the Department of Forestry and Fire Protection to assure Operational Compliance.

**Note:** The hearing will be on rule language in a 45-Day Notice circulated on July 27, 2001. The noticed language is available from the Board's office and is also available on the Board's web page: [http://www.fire.ca.gov/bof/board/board\\_proposed\\_rule\\_packages.html](http://www.fire.ca.gov/bof/board/board_proposed_rule_packages.html)

19. Request by Sierra Pacific Industries to Grant a Temporary Experimental Forestland Designation for 2 parcels of 3+ acres and 1 of 5+ acres in the Antelope Creek Watershed, Tehama County, as provided under Section 4526 of the Public Resources Code.

**Possible Action Item:** Board may designate temporary experimental forestland status.

20. Consideration of a Petition for Rulemaking Submitted by Niel E. Fischer Pursuant to Government Code Section 11340.6

**Note:** The Board has received a petition requesting the amendment of 14 CCR §895.1 "Definitions". The petition specifically requests the deletion of the term "Northern goshawk" as referenced in the definition of "Sensitive Species. The Board may grant or deny the petition, in whole or in part, or may take any action it determines to be warranted. If the petition is granted, rulemaking pursuant to the petition requires a 45-Day Notice for public hearing.

21. Report of Executive Officer, including Proposed State and Federal Legislation

**Note:** The Board's Executive Officer will report on ongoing administrative matters, proposed state or federal legislation or programs, resolutions, or new items coming before the Board. The Board may act in response to requests of the Executive Officer on items presented in the report.

22. New and Unfinished Business

23. Adjournment

**Note:** The Board may take any non-hearing agenda item out of order as time permits and may discuss agenda items scheduled for committees, including legislation. The Board may act on recommendations by its committees on items listed in their respective agendas.

**Note:** Those requiring further information regarding this meeting notice may contact Daniel R. Sendek, Acting Executive Officer, State Board of Forestry and Fire Protection, P.O. Box 944246, Sacramento, CA, 94244, (916) 653-8007. This meeting notice is also available in electronic format at: [http://www.fire.ca.gov/bof/board/board\\_current\\_docs.html](http://www.fire.ca.gov/bof/board/board_current_docs.html)

## COMMITTEE AGENDAS

### INTERIM COMMITTEE

**Date:** September 11, 2001 (Tuesday)

**Location:** Resources Building

Auditorium

1416 9<sup>th</sup> Street

Sacramento, California

**Time:** 8:00 a.m. – 10:00 a.m.

1. Discussion of the Petition submitted to the Board by Jere Melo requesting a “Timber Harvesting Plan Submitters Bill of Rights.”
2. Continued Discussion regarding Future Direction and Efforts to be Considered for Watershed Assessment, including the Permanent Adoption of Portions of the Interim Rules and Potential Road Management Plans
3. Discussion of Activities of the Stewardship Committee Regarding Alternatives to Existing Regulatory Controls on Timber Harvesting
4. New and Unfinished Business

**Note:** The Interim Committee may continue discussion of items included in its agenda or the full Board agenda if the Board recesses or adjourns.

### *Ad Hoc* WATERSHED COMMITTEE

**Date:** September 11, 2001 (Tuesday)

**Location:** Resources Building

Auditorium

1416 9<sup>th</sup> Street

Sacramento, California

**Time:** 10:00 a.m. – noon

1. Continued Discussion regarding Future Direction and Efforts to be Considered for Watershed Assessment, including Potential Road Management Plans
2. Presentation of the Ecological Management Decision Support (EMDS) model.
3. New and Unfinished Business

**Note:** The *Ad Hoc* Watershed Committee may continue discussion of items included in its agenda or the full Board agenda if the Board recesses or adjourns.

## **RESOURCE PROTECTION COMMITTEE (RPC)**

**Date:** September 11, 2001 (Tuesday)

**Location:** Resources Building  
Room 1506-12  
1416 9th Street  
Sacramento, California

**Time:** 9:00 a.m. – 11:00 a.m.

1. Report by CDF Deputy Director, Fire Protection; including Reports from Region Chiefs
2. Report by the State Fire Marshal
3. Update from USDA Forest Service Regarding Fire Management Activities
4. Update from Department of Fish and Game on Activities related to Fire
5. Update on the Activities of CDF Firefighters Union
6. Update on Implementation of the California Fire Plan
7. Updates from Various Advisory Committees:
  - Statewide Fire Safe Council
  - Range Management Advisory Committee
  - Vegetation Management Program
8. Discussion of Proposed Changes to the Board's Fire Policies
9. Legislation
10. New and Unfinished Business